

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – SUITS – LA – SR5SP – Nizamabad District – Nandipet (Mandal) – Marampally (Village) – O.P.No.328/93 – Sanction of **Rs. 1,22,356/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 372

DATE:01.06.2008

Read:

From the Secy.to Spl.CS to Govt & CCLA, AP, Hyd.Lr.No.SRP2/79/09,
Dt:30.03.2009 along with the proposal of the Spl.Collector, LA, SRSP, Hyd.

O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.1,22,356/- pertaining to Marampally (V) Nandipet (M) of Nizamabad District. The brief history of the case is that the then LAO had acquired the land for an extent of Ac.17.34 gts for excavation of SRSP in the limits of Marampally (V) Nandipet (M) by fixing the land value @Rs.500/- per acre vide Award No.10/76-77, dt:16.03.1978. The awardees have filed petitions u/s 18 of L.A.Act. The Addl.Dist.Judge, Nizamabad dt:08.04.96 has enhanced the land value from @Rs.500/- to Rs.3,000/- per acre. As the enhancement was more than 50% the SDC has preferred an appeal which was numbered as A.S.No.460/97. The Hon'ble High Court in its orders dt:01.05.97 in A.S.No.460/97 has granted conditional stay which read as "the Appeal is directed to deposit 50% of the amount awarded with costs and interest within (10) weeks from today. Stay for the rest". Accordingly, an amount of Rs.92,780/- of the enhanced compensation was deposited on 03.07.98 in the Lower Court. Finally, the Hon'ble High Court in its order dt:09.07.2007 in A.S.No.460/97 confirmed the decree of the Lower Court while dismissing the appeal preferred by the state.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,22,356/- (Rupees one lakh Twenty two thousand Three hundred and fifty six only)** towards decretal charges in O.P.No.328/93 pertaining to Marampally (V) Nandipet (M) of Nizamabad District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for LandAdministration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land AcquisitionOfficer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector (LA), SRSP, SSP & JCRGLIP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No328/93 under SRSP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above shall be debit able to the following Head of Account ““2701- Capital Out Lay – M & MI – 01 – Major Irrigation –Commercial – MH.116 Sriramasagar Project –GH.11 – Normal State Plan – SH (26) Dams & Appurtenant works – 530/532 lands (Charged)”. In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.SP.1832/F4(2)/2009-1, dated 20.05.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, SRSP, Tarnaka, Hyderabad.

The SDC, LA-cum-Loc, Unit, SRSP, Pochampad.
The Administrative-cum-Chief Engineer, Hyderabad.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.6072/LA-III(A1/2009
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER